

EXHIBIT A

Bank of America

0015000 1481400 1481400 4427100001870265

Napa Valley address

BANK OF AMERICA
PO BOX 5270
CAROL STREAM IL 60197-5270

SHERYL L LUPO
VAN A LUPO
2 FRANKLIN ST
NAPA, CA 94559-3904

Payment Coupon

Account Number	4427 1000 0187 0265
New Balance	\$14,814.00
Past Due Amount	\$14,608.60
Payment Due Date	06/22/04
Total Minimum Payment Due	\$14,814.00

Amount Enclosed



Make check or money order payable to Bank of America

SHERYL L LUPO
VAN A LUPO

Account Number: 4427 1000 0187 0265

Your Bank of America Platinum Visa® Account

Total Credit Line	\$0.00	Available Credit	\$0.00
Cash Limit	\$0.00	Available Cash	\$0.00
Overlimit Amount	\$7,714.00	Billing Date	05/28/04
Minimum Payment Due	\$14,814.00	Payment Due Date	06/22/04

24-Hour Customer Service 1.800.732.9194
For Lost or Stolen Cards 1.800.848.6090 Pay online! Visit
www.bankofamerica.com

Bank of America

Customer Corner

NOTE: The dollar value displayed in the Overlimit Amount on this statement does not include any overlimit fee charged in the current billing cycle. As disclosed, the Minimum Payment Due calculation does include the overlimit fee.

Transactions View recent transactions and pay your bill online at www.bankofamerica.com:

POST. DATE	TRANS. DATE	REF. NO.	DESCRIPTION	AMOUNT CR=CREDIT
May 28	May 28		PERIODIC FINANCE CHARGE	\$205.40

Account Summary

Previous Balance	\$14,608.60
Purchases	+ \$0.00
Cash Advances	+ \$0.00
Other Debits	+ \$0.00
Credits	- \$0.00
FINANCE CHARGE	+ \$205.40
Payments	- \$0.00
New Balance	= \$14,814.00

Finance Charge Summary

	Corresponding APR	Daily (D) / Monthly (M) Periodic Rate	Average Daily Balance (ADB)	Minimum (M) / Periodic (P) Charge
Purchases	16.990%	0.04655% v D	\$14,707.66	\$205.40 P
Cash	19.990%	0.05477% v D	\$0.00	\$0.00 P

ANNUAL PERCENTAGE RATE 16.990%

v=Variable

Please remit this Overlimit amount to us immediately or call: 1.800.633.5518.

BA000097

EXHIBIT B

1 Robert Glasser, Esq. (SBN: 047291)
 2 GLASSER AND SMITH, A.P.C.
 3 901 Dove Street, Suite 299
 4 Newport Beach, California 92660-3036
 5 Telephone: (949)752-2727

6

7

8 Attorney for Petitioner VAN LUPO

9

10

FILED
ORANGE COUNTY SUPERIOR COURT

JUL 29 2002
ALAN SLATER, Executive Officer/Clerk
L. Taheri
BY L TAHERI

8 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
 9 **IN AND FOR THE COUNTY OF ORANGE**

10 In re the Marriage of: } Case No. 00D 008 449
 11 Petitioner: VAN LUPO } STIPULATION AND ORDER
 12 and }
 13 Respondent: SHERYL LUPO }

14

15 The parties by and through their respective counsel of record, ROBERT
 16 GLASSER of Glasser & Smith, APC, for Petitioner, VAN LUPO, and VALERIE
 17 RYALL HOSFORD of Hosford & Hosford, counsel for Respondent, SHERYL LUPO,
 18 hereby stipulate the court enter the following orders:

19 1. Petitioner/Husband shall pay for the benefit of Respondent/Wife an
 20 Automobile Component of Spousal Support as follows:

21 a. Commencing February 23, 2002 Petitioner will provide the
 22 payments on the Mercedes Benz 280C automobile Respondent is driving, a value of
 23 \$730.00 per month based on a monthly lease payment of \$570.00, \$100/\$300
 24 liability and collision insurance, and tax and registration of \$35.00 per month.
 25 Respondent is awarded any residuary value of the lease. After January 1, 2003,
 26 Petitioner has the option to satisfy his support obligation under this component by
 27 purchasing the leased vehicle outright and transferring it to Respondent. In this
 28 event, Petitioner will be responsible only for maintaining the insurance, tax, and

STIPULATION AND ORDER

1 registration on this vehicle until February 22, 2007.

2 2. Petitioner shall pay for the benefit of Respondent a Life Insurance
3 Component of Spousal Support as follows:

4 a. Petitioner will obtain and pay for a level term life insurance policy
5 in the amount of \$500,000.00. Respondent will be named the irrevocable
6 beneficiary on said policy. Said policy will be paid for by Petitioner and purchased
7 from a life insurance company having at least a "AA" rating from Standard & Poors.
8 Petitioner will take all actions, including submission to physical examinations, in a
9 prompt manner to obtain and maintain the life insurance policy. Petitioner will
10 provide proof of coverage and the designation of beneficiary.

11 3. As and for a Cash Component of Spousal Support Petitioner shall pay
12 directly to Respondent thirty (30%) percent of all gross taxable self employment
13 income (gross receipts less reasonable business expenses) in excess of \$5,006.67
14 per month ("excess income") up to payment of \$3,000.00 per month to
15 Respondent/Wife. Regardless that Petitioner may receive no excess income, he
16 shall still pay Respondent \$500.00 cash per month, which amount is a part of and
17 shall be a credit against the percentage of excess income payable to Respondent for
18 that month.

19 4. Said support shall commence May 5, 2002 and continue thereafter until
20 further order of the court.

21 5. For purposes of payment of the Cash Component,

22 a. Thirty percent (30%) of such excess income received in a
23 calendar month shall be divided by twelve (12), and that twelfth amount shall be
24 payable to Respondent one-half by the 5th day and one-half by the 20th day of each
25 month thereafter for twelve months.

26 b. By the 20th day of each month Petitioner shall provide
27 Respondent with an accounting of such excess income showing the gross receipt(s),
28 and the applicable expenses for the prior month.

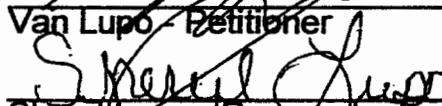
1 6. Currently Petitioner has monthly gross receipts of \$3,600.00 and
2 reasonable month business expenses of \$1,500.00 from Decision Base, which
3 income is from an independent contractor agreement, terminable at will.

4 7. Petitioner shall not have credit for the difference in the amount that the
5 Auto and Insurance Components are in excess of the amount of spousal support that
6 a guideline recommended spousal support calculation based on his current gross
7 taxable self-employment income would otherwise require him to pay. Petitioner shall
8 have credit for the \$500.00 per month payment described in paragraph 3. above,
9 which credit shall be against the payment of the percentage of the excess income up
10 to the \$3,000.00 limit for that month.

11 **IT IS SO STIPULATED:**

13 Dated: 6 - 20 - 02



Van Lupo - Petitioner

Sheryl Lupo - Respondent

16 **APPROVED AS TO FORM:**

17 Dated: June 21 2002



ROBERT GLASSER
Of Glasser & Smith, APC
Attorney for Van Lupo - Petitioner

20 Dated: _____



~~Subbed Out See Sub of Atty~~
STEPHEN HOSFORD
Of Hosford & Hosford
Attorneys for Sheryl Lupo - Respondent

22 **IT IS SO ORDERED:**

23 Dated: July 29 2002



RICHARD G. VOGL
Commissioner of the Superior Court

EXHIBIT C

LAW OFFICE OF JILL SHEDD & ASSOCIATES, P.C.
COUNSELORS AT LAW

FACSIMILE TRANSMITTAL SHEET

TO:	FROM:
Attorney Christopher Edwards	Jill Shedd
COMPANY:	DATE:
Choate, Hall & Stewart LLP	3/10/2006
FAX NUMBER:	TOTAL NO. OF PAGES INCLUDING COVER:
617-248-4000	19
PHONE NUMBER:	SENDER'S REFERENCE NUMBER:
617-248-5221	04-40202-FDS
RE:	YOUR REFERENCE NUMBER:
Lupo v Bank of America	

URGENT FOR REVIEW PLEASE COMMENT PLEASE REPLY PLEASE RECYCLE

NOTES/COMMENTS:

Attorney Edwards,

As I mentioned in our brief conversation this afternoon, the information and belief on which you base your new counts against my client (Count V and Count V) are simply not true. To that end I am faxing you the following:

- California Family Court Order amending alimony payment to \$500/month
- Tax information of Mr. Lupo from 2002 to 2004 clearly showing that he is indeed self-employed and paying self-employment taxes.

Additionally, and as we discussed I will be out of the country for the next two weeks. You agreed that if you file your Amended Answer that contains new counts against my client you will not move to "default" my client in my absence.

Finally, my client would like to settle his portion of this lawsuit. He is willing to come to reasonable terms with your client, please have either Attorney Russell or yourself contact my office at your earliest convenience to discuss said issue.

Regards,

Jill Shedd *Jill Shedd*

hp officejet d135
printer/fax/scanner/copier

Fax-History Report for
Jill Shedd
1-508-473-3817
Mar 10 2006 1:59pm

Last Transaction

<u>Date</u>	<u>Time</u>	<u>Type</u>	<u>Identification</u>	<u>Duration</u>	<u>Pages</u>	<u>Result</u>
Mar 10	1:46pm	Fax Sent	16172484000	12:55	19	OK